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FOR S/WC, PARIS AND LONDON FOR AFRICA WATCHERS

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SUBJECT: HABRE TRIAL: "LET IT BE MEANINGFUL AND ACCESSIBLE  
TO CHADIANS"

¶1. (SBU) Summary: In a meeting with the Ambassador, Human Rights Watch Advocacy Director Reed Brody stressed the need for the trial of former Chadian President Hissein Habre to be meaningful and accessible to Chadians. Human Rights Watch is urging Senegal to speed up and simplify the process leading to the trial in order to bring justice to Habre's victims. They are also encouraging the international community to provide funding and technical assistance. End summary.

JUSTICE DELAYED IS JUSTICE DENIED  
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¶2. (U) Human Rights Watch (HRW) Advocacy Director Reed Brody met with the Ambassador and DCM on January 4 to discuss the trial of former Chadian President Hissein Habre. Brody was accompanied by Clement Abaifouta, President of the Chadian Association for Victims of Political Repression. Brody introduced the meeting by saying that he was not fully up to date on other Chad human rights issues, and was there solely to talk about the Habre trial.

¶3. (U) Brody underscored the historic importance of Senegal putting Habre on trial -- the first time a developing country had taken on such a task. Nonetheless, a year and a half later "people didn't know where to begin." Brody acknowledged that Senegal's task was complicated and expensive (an initial estimate of Euros 66 million had been scaled down to a more realistic 28 million.) But, in the meantime, victims were passing away. The Senegalese proposed interviewing some 20,000 witnesses. In fact, proof of chain of command could be found with considerably fewer witnesses.

¶4. (U) HRW has been pushing Senegal to move faster and working with the international community on providing support. Brody informed the Ambassador that the European Union and Switzerland had promised support. French President Sarkozy had told Senegalese President Wade in July that France would work with Senegal on the trial. Brody reported that he had urged the State Department's office of War Crimes (S/CW) to 1) applaud Senegal's decision; 2) let Senegal know that the United States expected it to move forward and 3) provide funding or technical assistance for the trial.

SUPPORT THE RULE OF LAW IN CHAD  
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¶5. (U) Turning the focus back to Chad, Brody explained that HRW hoped that the trial could be "accessible and meaningful"

so that Chadians would have a chance to understand "what justice means." Citing the example of Sierra Leone, he suggested that outreach include coverage of procedures by radio or TV and having the prosecutor explain the meaning of the trial to different groups throughout Chad. Brody recognized the challenges of outreach in Chad given the size of the country and the lack of resources available to Senegal (compared to those of international courts.) Accordingly, a third party such as the UN or an NGO should be encouraged to take it up. (Brody explained that neither HRW nor the Chad Victims Association could do this as they were parties to the trial. He believed that the Center for Transitional Justice might present a proposal.)

¶6. (SBU) Brody commented that lack of resources might not be the only obstacle to publicizing the trial. Chadian authorities might potentially see an outreach campaign as "subversive." That being said, he acknowledged that the Government of Chad had cooperated in lifting Habre's immunity and inviting the Belgian judge to Chad. President Deby had made public statements in favor of the trial. Brody mused that the President's embrace of the process might come back to bite him as he himself had been part of the Habre "machinery" before going into rebellion.

¶7. (U) Commenting on Chad's handling of the Habre years, Brody stated that the 1992 Truth Commission had issued a good report, but some recommendations were never implemented. Individuals named in the report were still high ranking security officials. Victims had filed cases in N'Djamena against their torturers, but the cases had not advanced at all. Although the major demand of victims was financial compensation, a draft reparations bill before the National

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Assembly was moribund. Brody imagined that hopes of a financial settlement coming from the Dakar trial were not realistic, but hoped that the trial and accompanying outreach would bring these issues back on the table for victims.

COMMENT

¶8. (SBU) In a country where authorities enjoy considerable impunity, Post agrees that public outreach and discussion of the Habre trial proceedings would set a welcome example of justice in action.  
NIGRO